

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: David J. Ecker *et al.*  
Serial No.: 10/728,486  
Filed: 12/5/2003  
Entitled: **Methods for Rapid Detection of Pathogens in Humans and Animals**

Group No.: 1637  
Examiner: D.C. Thomas

**RESPONSE TO FINAL OFFICE ACTION MAILED  
NOVEMBER 3, 2008**

**EFS Web Filing**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Examiner Thomas:

The present communication is responsive to the Final Office Action mailed November 3, 2008 and is being filed with a Request for Continued Examination (RCE). A request for a three month extension of time from February 3, 2009 to May 3, 2009 is hereby requested.

The Commissioner is hereby authorized to charge any fees during the entire pendency of this application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 that may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-4302, referencing Attorney Docket No. ISIS-10449. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).